

## **Minutes of the Special and Regular Meetings of April 11, 2006**

### **SPECIAL MEETING**

#### **CLOSED SESSIONS - 6:30 P.M.**

- A. Conference with Real Property Negotiator, Maureen Cassingham, pursuant to Government Code Section 54956.8: APN 045-380-010
- B. Conference with Real Property Negotiator, Maureen Cassingham, pursuant to Government Code Section 54956.8, 500 Harbor Blvd, APN: 046-030-560

Attended by Councilmembers Feierbach, Warden, Dickenson, Lieberman, Mathewson, City Attorney Zafferano, Interim City Manager Cassingham, Finance Director Fil and Public Works Director Davis. Deputy City Clerk Harrington was excused from attending.

**ADJOURNMENT** at this time, being 7:02 P.M., these Closed Sessions were adjourned.

Sheila Harrington

Deputy City Clerk

These meetings not tape-recorded or videotaped.

#### **STUDY SESSION - 7:04 P.M.**

##### **Discussion and Direction regarding Administrative Code Enforcement System**

Code Enforcement Officer Buckman outlined the procedures for an administrative hearing process. An initial notice is sent to a violator with a due date for corrections up to 20 days depending on the type of violation. The violator may request a preliminary review with staff. The violation could be dismissed without prejudice or the citation may be upheld. The violator could request a formal administrative hearing after the preliminary hearing. Staff will provide options on the makeup of the hearing board. The violator would have 20 days after the ruling to appeal the decision to the Superior Court. Citations and fines could be levied during the process.

Councilmember Warden suggested a softer tone in the initial notice for minor violations and then issuing a stronger letter if the violation was not corrected.

Code Enforcement Officer Buckman stated that was the current practice for certain violations such as garbage cans left out too long.

Councilmember Dickenson stated that residents should receive a fair warning and education on their violation; however, the timeline between the notice and corrective action should be short.

Councilmember Lieberman agreed with Councilmember Warden's suggestion. He asked how much discretion does City staff have with deadlines and fines.

City Attorney Zafferano confirmed that the ordinance allows City staff to use discretion.

Code Enforcement Officer Buckman stated that violations are processed on a complaint basis. Staff will initiate code enforcement without a complaint if it is a health and safety issue or a blatant violation. Proactive code enforcement in the Sterling Downs neighborhood will commence in late spring and will eventual expand to other neighborhoods.

Code Enforcement Officer Buckman stated he would return with a proposed ordinance for City Council consideration.

**ADJOURNMENT** at this time, being 7:29 P.M., this Study Session was adjourned.

### **REGULAR MEETING**

**CALL TO ORDER 7:35 P.M.**

#### **PLEDGE OF ALLEGIANCE**

Led by Deputy City Clerk Harrington

## **ROLL CALL**

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Dickenson, Warden, Mathewson

COUNCILMEMBERS ABSENT: None

Staff Present: Interim City Manager Cassingham, City Attorney Zafferano, Community Development

Director de Melo, Public Works Director Davis, Finance Director Fil, Police Chief

Mattei, Interim Parks and Recreation Director Bridges, Deputy City Clerk Harrington.

## **AGENDA AMENDMENTS**

Mayor Mathewson stated that Item 8-A Leave of Absence request from Finance Commissioner, would be removed from the agenda.

## **SPECIAL PRESENTATIONS**

**Proclamation declaring "Turn Off TV Week" in support of the San Mateo County Childhood Obesity Prevention Taskforce.**

Mayor Mathewson presented this Proclamation to Maureen Violet of Sequoia Hospital and a Taskforce member.

## **Recognition of Finance Department GFOA Award**

Mayor Mathewson commended the Finance Department for receiving this award. Finance Director Fil thanked the Finance Department for their hard work.

## **Presentation on Contractor Procurement from South Bay Waste Management Authority (SBWMA)**

Public Works Director Davis introduced Bob Hilton of Hilton, Farnkopf & Hobson, LLC who has been retained by the SBWMA for community outreach for the contractor procurement process.

Mr. Hilton reported that the annual budget for the collecting, processing and transfer of materials is approximately \$50 million. The initial contractor agreement will have a term of roughly 10 years.

The goals of the contractor selection process include maintaining the current association of member agencies within the SBWMA to achieve the economies of scale in the provision of services and management of contracts. They want to select a company to provide solid waste

management services at a competitive market price. They want to meet the needs of the member agencies and perform the selection process in an objective and transparent manner.

Three committees will be established for the process. The Programs and Facilities Committee will consider different types of programs that could be in the contract. The Process and Contract Committee will develop the competitive process and final contract. The Selection Committee will be established in a few years with member participation from each agency.

The general approach will consist of four phases: 1) Planning and request for proposal (RFP) preparation, 2) Proposal solicitation and evaluation, 3) Selection and negotiations, 4) Implementation. Mr. Hilton outlined the member agency milestones. 1) General approach discussion (this meeting), 2) Approve services and process, adopt conduct guidelines and commit to the process October/December 2006, 3) Approve RFP and agreement May/July 2007, 4) Attend proposal presentations February 2008, 5) Receive proposal summaries March/June 2008, 6) Approve selection of contractors October/December 2008, 7) Approve agreements May/June 2009. The selected contractor is expected to commence service by January 2011.

Mr. Hilton requested that member agencies assign staff members to participate in this process and noted that Public Works Director Davis and City Engineer Phalen represent Belmont.

In response to Councilmember Feierbach, Mr. Hilton stated he expects six or more proposals. Recommendations will be made but each City Council has the final authority for selection.

Councilmember Warden asked about City Council veto authority or will all member agencies be required to pick the same contractor. Mr. Hilton stated it was not necessary to select the same contractor but hoped for consensus. The SBWMA does not have the legal authority to enter into these contracts, only the member agencies have that authority. Mr. Hilton stated that each City will determine the service configuration that best meets their needs. He noted that the potential loss of efficiency or additional services will affect cost of service.

### **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Councilmember Warden welcomed Interim City Manager Cassingham to the City of Belmont.

Mayor Mathewson announced the ribbon cutting for the new library would be held on April 29.

**MEETING RECESS** at this time, being 8:02 p.m., to hold the Regular Redevelopment Agency Meeting.

**RECONVENE:** 8:35 P.M.

### **CONSENT CALENDAR**

**Approval of** Minutes of Special Meetings of February 22 and 27, 2006 (Commission Interviews), and Regular Meeting of February 28, 2006.

**Approval of** Advisory Report regarding the Belmont Police Department's application for a joint grant from the Department of Alcohol Beverage Control the cities of Belmont and San Carlos

**Approval of** Resolution 9770 declaring April 24 through April 30, 2006 as "West Nile Virus and Mosquito and Vector Control Awareness Week."

**Approval of** Resolution 9771 Approving Amendments to Council Protocols

**Approval of** Resolution 9772 Approving the Filing of the Regional Surface Transportation Program Grant Application for Pavement Rehabilitation in the Amount of \$750,000

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Dickenson, the Consent Calendar was unanimously adopted by a show of hands.

### **HEARINGS**

**Continued Public Hearing to consider an Ordinance amending Article VIII, Section 15-100 et seq., of the Belmont Municipal Code (Noise Ordinance & Construction Activity), continued from 3/14/06**

Code Enforcement Officer Buckman reported that several issues were raised at the March 14, 2006 City Council meeting that require further research. He requested that this hearing be continued to the May 9, 2006 City Council meeting.

**ACTION:** On a motion by Councilmember Warden, seconded by Councilmember Dickenson and unanimously approved by a show of hands to continue this public hearing to May 9, 2006.

### **OLD BUSINESS**

**Discussion and Direction for the "Welcome to Belmontwww.Belmont.gov" Signs to be Installed at the Entry Points into the City**

Public Works Director Davis presented four options for Council consideration. Each sign could be fabricated and installed by staff for approximately \$300.

Councilmember Warden noted that he had received input from citizens discouraging signs. He envisioned the sign combined with existing City signs. He preferred Attachment C.

Public Works Director Davis stated the signs would be strategically placed around town and combining signs may not reach the target audience. He suggested placing the signs on Shoreway Road, Island Parkway, and the Southbound freeway off-ramps.

Council concurred with Attachment C.

Councilmember Dickenson suggested Attachment D could be combined with existing signs.

## **NEW BUSINESS**

### **Annual Review of Council Priority Calendar - Step One: Reviewing and Ranking Projects**

Administrative Assistant Stallings provided updated input from the Finance and Parks and Recreation Commissions. Administrative Assistant Stallings outlined the process for reviewing and ranking the projects.

Councilmember Warden suggested discussing and ranking each department's projects before considering other departments. He requested input from Community Development Director de Melo.

Community Development Director de Melo stated the General Plan would involve a great deal of staff time. He suggested that if the General Plan was the top priority, then a few smaller projects be ranked to balance the time commitment. He suggested the residential design guidelines and administrative floor area as smaller projects for City Council consideration.

Councilmember Dickenson suggested adding the Technology Master Plan Update to the City Manager's list.

Discussion ensued regarding the Public Work's Ralston Avenue Street Lighting Project. Council discussed the conditions of the current poles, that are no longer manufactured, and whether they should consider different poles in the future. Old County Road was added to this project.

Councilmember Dickenson suggested adding a citywide parking plan to the list. Guidelines for parking standards could begin in the economic sections of Belmont. Council discussed how to implement a plan and the need for exceptions.

Public Works Director Davis stated he would present a report at a future meeting detailing the history of parking in Belmont.

Interim Parks and Recreation Director Bridges suggested Davey Glen Park and Trail Improvements as top priorities.

Council ranked each department list at the end of each department discussion. Administrative Assistant Stallings ranked the priorities during the next agenda item.

**Recess 9:30 P.M., Reconvene 9:36 PM.**

### **Discussion and Direction Concerning the Storm Drain and NPDES Programs**

City Engineer Phalen reviewed the discussion items. City Engineer Phalen suggested reorganizing the City's budget for storm drain capital, storm drain operations, and NPDES. Currently they are organized out of the same account which has been difficult for staff to manage. She recommended creating a new project management service center for the storm drain capital improvement projects. She also recommended transferring street sweeping from the storm drain fund to a solid waste fund. Street sweeping currently costs \$350,000 per year. This action would increase the cost of solid waste management; it would be approximately 10 percent of the current waste costs through the Allied Contract.

City Engineer Phalen sought direction on how to budget for storm drain pipe rehabilitation. There are gaps in the existing system that should be filled. Other projects have been budgeted that are not storm drain related such as Water Dog Lake maintenance, and maintenance of stream banks. She recommended budgeting only those projects that replace the current conveyance system.

City Engineer Phalen asked if staff should be researching additional funding sources such as forming a storm drain assessment district, increasing the existing NPDES storm water fee, or increasing planned drainage fees. She also suggested staff monitor and the City Council consider supporting Assembly Constitutional Amendment 13 (ACA 13). This would add storm drains to the items that are exempt from Proposition 218, it would classify storm drains as a utility.

City Engineer Phalen brought to Council's attention the status of the Regional Municipal Regional Urban Runoff Permit (MRP). The Regional Water Quality Control Board is in the process of developing a new region-wide NPDES storm water discharge permit. Staff anticipates that the new requirements will be specific, costly, and may conflict with city policies.

Councilmember Warden asked how street sweeping charges would be assessed for commercial versus residential properties. Public Works Director Davis stated staff could return with a mechanism for the charges.

Councilmember Feierbach stated that she does not believe that storm drains should be exempt from Proposition 218.

Councilmember Warden stated that street sweeping is garbage collection and an increased fee did not seem unreasonable. He did not support funding any capital projects that were not directly related to the sewer I/I nexus for the sewer bonds.

Council supported reorganizing the City's budget for storm drain capital, storm drain operations, and NPDES. Public Works Director Davis stated that staff would keep Council updated on the ACA 13 and Proposition 218 issues.

Mayor Mathewson stated that a solution will have to be found to deal with the failing infrastructure issues, which may include a tax.

Councilmember Lieberman inquired how the planned drainage fee per acre compared to other cities. City Engineer Phalen noted that in most years revenues are not generated since the fee is tied to filing a subdivision or parcel map. Most developments are not required to do this. She suggested changing the fee structure so it would not require the filing of a parcel map.

Council concurred that drainage fees should be reviewed and updated where appropriate.

Mayor Mathewson suggested a survey to determine if people would be willing to approve an assessment for gap filling.

#### **RESULTS FROM PRIORITY RANKING FORMS:**

Administrative Assistant Stallings reported the results: Community Development : 1. General Plan, 2. Residential Design Guidelines (tied) 2. Administrative Floor Area Exceptions, 4. Solar Access Ordinance. City Manager 1. Organizational Audits, 2. 2006 Technology Plan Update. Finance 1. Belmont Fire Protection District Liability Exposure Contingency Plan. Public Works 1. Ralston Avenue and Old County Road Street Lighting . Parks and Recreation 1. Davey Glen Park Design and Development, 2. Trail Improvements, 3. Manor Building Repairs, 4. Solar Energy Policy, 5. Ralston Ranch Park Improvements, 6. Semeria Park. All projects not mentioned were ranked below the line.



COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

**Leave of Absence request from Finance Commissioner**

This item was removed from the agenda under agenda amendments held earlier in the evening.

**MATTERS OF COUNCIL INTEREST/CLARIFICATION**

**Direction regarding implementation of Council Committee Structure (Dickenson).**

Councilmember Dickenson presented a chart outlining the proposed Council Committee Structure. He recommended this structure to allow staff to work directly with Council.

Councilmember Warden questioned the need for this structure.

Council concurred to agendize this item for further discussion in May.

**ADJOURNMENT** at this time, being 10:05 P.M.

Sheila Harrington

Deputy City Clerk

Meeting Tape Recorded and Videotaped  
Audio Recording 634

Minutes approved 5/23/2006